

UNITED STATE BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

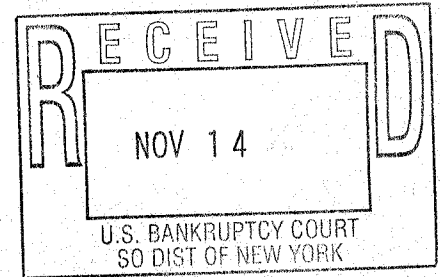
IN RE:

RESIDENTIAL CAPITAL, LLC, ET AL.,

DEBTORS

CASE No 12-12020

CHAPTER 11



IN THE DISTRICT COURT OF APPEAL OF THE STATE
OF FLORIDA – SECOND DISTRICT
P O Box 327, LAKE LAND, FL 33802-0327

CASE NO.: 2D13-4181
L.T. 08-252-CA

RONALD P GILLIS, et al,

V

DEUTSCHE BANK TRUST COMPANY AMERICAS
AMERICAS AS TRUSTEE FOR GMAC-RFC

Appellant / Petitioner
Purported Defendant

Appellee / Respondent
Purported Plaintiff

JUDICIAL NOTICE PURSUANT TO FLORIDA STATUTE §90.202

COMES NOW, Purported Defendant / Appellant Ronald P Gillis in Charlotte County Civil Case #08-252-CA, Appellant in the Second District Court of Appeals for Florida case # 2D13-4181, and Creditor #444 in NY Southern District Bankruptcy Court case #12-12020, who is a Native North American and appears by special appearance only for the limited purpose of informing the New York Southern District Bankruptcy Court, the Second District Court of Appeals, and the Charlotte County Civil Court, to take Judicial Notice for the need of a stay of the Court "trial" date of December 02, 2013 in Charlotte County Civil Case as it would cause irreparable damage to the Purported Defendant / Appellant with the **Southern District of New York Bankruptcy Court having jurisdiction of this case**, the default still in place in the Lower

Tribunal, yet this issue is under review by the Second District Court of Appeal, with the appeal being filed August 30, 2013, the Second District Court of Appeals filing items into the case, and the case filing fee paid October 10, 2013, followed by a Notice of Appearance of an attorney Purporting to represent a non-party to the Lower Tribunal action, giving further rise to the need to determine exact which court has jurisdiction of this case, if any with the apparent lack of Subject Matter Jurisdiction in the Lower Tribunal, and review of the case by the Second District Court of Appeals.

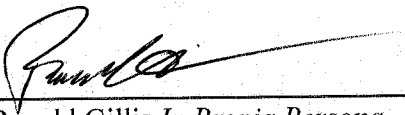
In support of this notice to the Courts, Purported Defendant / Appellant states:

1. The Lower Tribunal Court entered an order on August 12, 2013, and an order on the Motion to Reconsider that order on August 22, 2013, which is currently under appeal and the Purported Plaintiff / Appellee failed to show standing and capacity at the inception of this case, and the loss of jurisdiction of the Lower Tribunal, if jurisdiction was ever obtained since the Lower Tribunal lacks Subject Matter Jurisdiction since Purported Plaintiff failed to state a claim upon which relief may be granted, failed to show a claim-in-fact and no purported note attached to the complaint which has never been amended. See Florida Rules of Civil Procedure 1.130(a) as well as case law Eigen v Federal Deposit Insurance Corporation 492 So2d 826 (FLA 2DCA 1986) which require all relevant documents be attached to the complaint.
2. Additionally, Purported Defendant / Appellant testified under oath in open Court on July 20, 2009, the document Purported Plaintiff / Appellee states as purported "original" mortgage and purported "original" note do not bear the signature of the Purported Defendant / Appellant. No admissible evidence to the contrary has ever been submitted into this case.

3. Purported defendant has timely filed a Notice of Appeal of such order on August 30, 2013.
4. This Notice is timely and made for good cause, which is made pursuant to Fla. R. Civil Procedure 1.550 (b.)
5. The filing of a notice of Appeal divests a trial court of Jurisdiction, see Allston v State 685 So2d 1312 (Fla 2d DCA 1996) and 2D07-1851 Sunbridge Capital, Inc. v P&W Grading, Inc., et al (Charlotte County case 07-586-CA August 1, 2007), and 2D10-4612 Deutsche Bank Trust Company Americas as Trustee v Claycomb, Casey (Charlotte County case 08-252-CA June 10, 2008).
5. Pursuant to the order, which is being appealed, Purported Defendant's case is scheduled for a "trial" for one hour on December 02, 2013. No legitimate trial can occur in one hour, and clearly an attempt is being made to railroad the Purported Defendant / Appellant and complete a theft of property by an entity that has no claim-in-fact.
6. Failure to issue a stay in the proceedings in the Lower Tribunal will cause irreparable harm to Purported Defendant / Appellant.
7. Purported Plaintiff / Appellee will suffer no prejudice in any Court by the issuance of a Stay of the Lower Tribunal proceedings.
8. More recently, in a search of the Mortgage Electronic Registration System (MERS) database, it purports the purported mortgage associated with this case is Active and that the purported "investor" is Wells Fargo Home Mortgage, a division of Wells Fargo Bank N.A. which purportedly makes Wells Fargo Home Mortgage and Wells Fargo Bank N.A. indispensable parties to the action. Indispensable parties were first mentioned by the undersigned July 29, 2009, and specifically Wells Fargo Bank was first mentioned in this case and thereby became an indispensable party effective November 05, 2010.

9. Pursuant to principal of law as stated in Anastasoff vs U.S., 223 Fed Rep 3d 898, (8th Cir 2000) shows the Doctrine of Precedent must be maintained and that it is an established rule to follow former precedents such as Judge Boyko, Judge Rose, Judge Dowd, as well as the District Court of Appeals for Florida.
10. By operation of 11 U.S.C. § 362(a), the automatic should have been in effect on May 14, 2012, GMAC and Residential Funding Corporation filed a petition for Chapter 11 relief. A suggestion of bankruptcy was filed in the pending state court foreclosure case. Said filing should cause a halt to all movement in the Lower Tribunal.

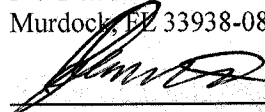
Respectfully Submitted,

By 
Ronald Gillis *In Propria Persona*
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that by signing this below, a true and correct copy of the foregoing JUDICIAL NOTICE PURSUANT TO FLORIDA STATUTE §90.202 was furnished by hand or USPS 1st Class Mail to: United States Bankruptcy Court, Southern District of New York One Bowling Green New York, NY 10004, Michael K Winston City Place Tower Suite 1200, 525 Okeechobee Blvd, West Palm Beach, FL 33401, Second District Court of Appeals, P O Box 327, Lakeland, FL 33802-0327, and the Charlotte County Justice Center, Clerk of the Court, Barbara T. Scott, 350 E. Marion Ave, Punta Gorda, FL 33950 on this 12th day of November 2013.

Ronald Gillis (413) 622-2282
P O Box 380842
Murdoch, FL 33938-0842


By: Ronald Gillis
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